

### R E M A R K S

The issues outstanding in the instant application are as follows:

- Claims 1-8, 11-26, 31-34, and 36-42 are rejected under 35 U.S.C. § 103(a) as being unpatentable over admitted prior art and Chern (US 2003/0060211); and
- Claims 9-10, 27-30, and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over admitted prior art, Chern (US 2003/0060211), and Ellis (US 5,699,255).

Applicant traverses all the outstanding rejections and requests reconsideration and withdrawal thereof in light of the remarks contained herein.

#### 35 U.S.C. § 103(a) – Admitted Prior Art in view of Chern

Claims 1-8, 11-26, 31-34, and 36-42 are rejected under 35 U.S.C. § 103(a) as being unpatentable over admitted prior art and Chern (US 2003/0060211). Chern discusses location-based services and proposes refining service queries using user input. The user input requested by Chern relates to the query, not to “a more accurate geographic location of the communication device.” For example, Chern paragraph [0044] proposes that a user select options for driving directions such as shortest possible route, interstate route, safest route, most scenic route, etc. but does not request “a more accurate geographic location of the communication device” as recited in claim 1. Similarly, Chern paragraphs [0045]-[0046] propose business type or service type options such as proximity to the user’s current location, cuisine type, restaurant type, price range, chain, and so on. At no point in Chern is there the suggestion of “a request for a more accurate geographic location of the communication device” as recited in claim 1.

Thus, independent claim 1 is not unpatentable in view of admitted prior art and Chern. Claims 2-8 and 11-21 depend directly or indirectly upon claim 1 and thus are also not unpatentable in view of admitted prior art and Chern. Regarding claim 5 in

particular, the map of Chern paragraph [0044] is to provide driving directions; it is not part of “a request for a more accurate geographic location of the communication device” as recited in claim 1 and further detailed in claim 5. Regarding claim 6, the map of Chern is not related to “receiving from the user input device of the communication device the more accurate geographic location” as mentioned in claim 5 and further detailed in claims 6-8.

Regarding dependent claim 11, the textual driving directions proposed in Chern paragraphs [0044]-[0045] are not part of “a request for a more accurate geographic location of the communication device” and “receiving from the user input device of the communication device the more accurate geographic location” as recited in claim 1 and further detailed in claim 11. Because Chern does not show or suggest requesting and receiving more accurate geographic location in accordance with claim 1, Chern cannot convey more accurate geographic location to a target device as recited in claims 13-14. Regarding claim 15, height (as well as latitude, longitude, speed of travel, and other parameters) as mentioned in Chern paragraph [0040] relates to the “approximate geographic location” recited in claim 1. Chern does not transmit “a request for a more accurate geographic location of the communication device” as recited in claim 1, thus Chern does not show or suggest including height in “more accurate geographic location” as recited in claim 15. Regarding claim 17, Chern does not show or suggest that a destination is or contains a “target device.” Instead destinations according to Chern are driving destinations, restaurants, hotels, or other facilities.

Regarding independent claim 22, Chern fails to display a “request [for an accurate geographic location of the communication device] on the communication device” as recited in claim 22. According to Chern paragraph [0050], position information is transmitted from the handset to the network without any user interaction. Thus, claim 22 is not unpatentable in view of admitted prior art and Chern.

Claims 23-26 and 31-32 depend directly or indirectly upon claim 22 and thus are also not unpatentable in view of admitted prior art and Chern.

Regarding independent claim 33, Chern does not receive “from the user input device, an indication on the map corresponding to a location of the communication device” as recited in claim 33. Instead, the map of Chern paragraph [0044] simply provides driving directions. Claim 34 depends directly upon claim 33 and also is not unpatentable in view of admitted prior art and Chern.

Regarding independent claim 36, Chern does not show or suggest “a display . . . for displaying the request [for an accurate geographic location of the communication device] on the communication device” or “a user input for receiving . . . information corresponding to the accurate geographic location of the communication device” as recited in claim 36. The position determination system 134 of Chern does not interact directly with the user interface components as shown in Chern FIGs. 1-2. See also Chern paragraphs [0035] and [0039]-[0042]. Claims 37-40 depend directly or indirectly upon claim 36 and also are not unpatentable in view of admitted prior art and Chern.

Regarding independent claim 41, Chern fails to show or suggest “a receiver for receiving . . . a request for an accurate geographic location of the communication device” and “a user input device for receiving . . . an indication on the map corresponding to a location of the communication device” as recited in claim 41. Claim 42 depends directly upon claim 41 and also is not unpatentable in view of admitted prior art and Chern.

Reconsideration and withdrawal of the rejection of claims 1-8, 11-26, 31-34, and 36-42 as being unpatentable under 35 U.S.C. § 103(a) over admitted prior art and Chern is respectfully requested.

35 U.S.C. § 103(a) – Admitted Prior Art in view of Chern and Ellis

Claims 9-10, 27-30, and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over admitted prior art in view of Chern (US 2003/0060211) and Ellis (US 5,699,255). Chern was discussed previously. Ellis proposes transmitting a succession of maps of varying resolution and detail (zoom-in or zoom-out) to a navigation device, but Ellis does not overcome the deficiency of Chern relative to claim 1. Namely, neither Chern nor Ellis show or suggest “transmitting to the communication device . . . a request for a more accurate geographic location of the communication device” as recited in claim 1. Because neither Chern nor Ellis request a more accurate geographic location, Chern and Ellis consequently fail to request it using a map or a succession of maps as contemplated by claims 9-10. Applicant’s arguments with regard to claims 9-10 can also be applied to claims 27-30 and 35. Therefore, claims 9-10, 27-30, and 35 are not unpatentable in view of admitted prior art, Chern, and Ellis. Reconsideration and withdrawal of the rejection of claims 9-10, 27-30, and 35 as being unpatentable under 35 U.S.C. § 103(a) over admitted prior art, Chern, and Ellis is respectfully requested.

S U M M A R Y

The application is in condition for allowance and a favorable response at an early date is earnestly solicited. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact Applicant’s representative at the telephone number indicated below.

Please charge any fees associated herewith, including extension of time fees, to  
**Deposit Account 502117.**

Respectfully submitted,

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